

## **REMARKS**

Favorable consideration and allowance of the application is respectfully requested. Claims 22-41 were in the application, claim 22 has been amended.

The prior Final Rejection of claims 22-41 was upheld on appeal, in a Decision mailed June 1, 2007, with the Board noting that the Protocol Type as presented in claim 22 was "nonfunctional descriptive material". The applicant has addressed this issue by a more positive recitation of the Protocol Type, as well as linking the Protocol Type indicator to the enhanced call control functionality, as discussed with the Board during oral argument. Support for this amendment is found on page 1, lines 20-26 of the specification, illustrated by the examples in the application. See also page 19, lines 25-28.

By these amendments, it is believed that the present invention distinguishes from the prior art.

The Board also referenced a new patent, U.S. patent no. 6,430,196 to Baroudi. While Baroudi appears to be relevant to the present case, there is no teaching or suggestion of a Protocol Type identifying whether a message is IP vs. non-IP. As with the citation of TCP/IP Illustrated, Vol. 1 – The Protocols, the protocol field shown in Figure 2 does not meet the limitation of "a Protocol Type indicator denoting whether the message is an IP message or an encapsulated non-IP message" which enables the functionality identified in amended claim 22. TCP/IP is a suite of protocols where the protocol field identifies which higher level TCP/IP protocol sent the data in question. Neither the Baroudi patent, the cited references, nor TCP/IP protocols in general serve to identify a message as IP vs. non-IP, as clearly recited in claim 22.

Based on the above amendments and remarks, favorable consideration and allowance of the application are respectfully requested. However should the examiner believe that direct contact with the applicant's attorney would advance the prosecution of the application, the examiner is invited to telephone the undersigned at the number given below.

Respectfully submitted,

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